

## **REMARKS/ARGUMENTS**

### **I. Status Of The Claims**

Prior to entry of this amendment, claims 18, 20-24, and 30-36 were pending in the application. A Final Office Action mailed October 31, 2006 rejected claims 18, 20-22, 24 and 30-36 under 35 U.S.C. § 103(a) as being anticipated over US Patent No. 5,416,903 to Malcolm et al. (hereinafter "Malcolm") in view of US Patent No. 6,598,015 to Peterson et al. (hereinafter "Peterson"). The Final Office Action also rejected claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Malcolm, in view Peterson and further in view of US Patent No. 6,526,426 to David Lakritz (hereinafter "Lakritz"). This amendment amends claims 18, 20-24, 31 and 34-36, and adds new claims 37-40. Accordingly, after entry of this amendment, claims 18, 20-24, and 30-40 will stand pending for examination. Claims 18, 34-36 and 38 are independent claims.

### **II. Claim Amendments**

Claims 18 and 34-36 have been amended to remove the term "at least a" from the recited "first component," and "second natural language," respectively, for purposes of clarity. Claims 20-24 and 31 have been amended for consistency with claim 18.

Claim 34 has also been amended to remove the element headings (e.g., "(a)"). It is submitted that this amendment does not narrow the scope of claim 34.

New claims 37-40 have been added. Support for the new claims can be found throughout the application, including, inter alia, in the existing claims (and the portions of the specification and drawings supporting those claims), as well as Fig. 25, lines 11-22 on page 36 of the specification, and lines 1-4 on page 37 of the application.

III. Claim Rejections under 35 U.S.C. §103, Malcolm in view of Peterson

The Final Office Action rejected claims 18, 20-22, 24 and 30-36 under § 103(a) as being unpatentable over Malcolm in view of Peterson. These rejections are respectfully traversed, for the reasons set forth below.

To create a prima facie case of obviousness under § 103(a), the final office action must meet three requirements: first, the cited references must collectively teach each element of the rejected claim; second, the rejection must identify in the prior art some teaching, suggestion or motivation to combine the references in the contemplated manner; and third, there must be a reasonable expectation of success in the combination. MPEP § 2143. The final office action satisfies none of these requirements.

A. The cited references collectively fail to teach each element of any rejected claim.

1. **Claim 18**

Malcolm and Peterson, whether taken individually or in combination, fail to teach or suggest each element of any rejected claim. Consider, for example, independent claim 18, which recites, inter alia, “simultaneously displaying for a translator (i) said at least a first component of said software in a first format, and (ii) said at least a first component of said software translated into said second language in a second format,”

The final office action concedes that Malcolm fails to teach or suggest this element, but argues that Peterson does teach this element. Peterson, however, provides no such teaching or suggestion. In fact, Peterson is directed to a system for translating documents, not software components. The final office action implicitly recognizes this, because it states “*Peterson et al.* discloses providing simultaneous displays to a translator of a component of a document in first and second natural languages, and in first and second formats, represented by windows 102, 104, and edit windows 106, 108, respectively.” (Final Office Action, at 5 (emphasis added)) (While the final office action states that Peterson discloses the documents may be HTML or XML documents, this disclosure falls far short of teaching the display of a

software component in a first and second format.) Hence, the final office action does not really even argue that Peterson teaches the recited element, instead substituting the term “document” for the recited “component of said software.”

Malcolm’s failings in this regard are highlighted by the remaining language of this element, which is ignored in its entirety by the final office action. Specifically, that language recites, “said first format comprises a format in which said at least a first component in said first natural language is displayed by a version of said software utilizing said first component in said first natural language” and “said second format comprises a format in which said at least a first component is displayed in a version of said software utilizing said translation of said first component into said second natural language.” Peterson does not even come close to suggesting that its document components might be displayed in a format in which they are displayed by a version of software utilizing those document components in multiple natural languages, which is not surprising, because Peterson is concerned exclusively with translating documents, not software components. Hence, Malcolm and Peterson collectively fail to teach or suggest each element of claim 18.

## **2. Claims 34-36**

Claims 34-36 are directed to a system, a software program, and a system, respectively, and they each recite elements similar to those recited by claim 18. Hence, for at least the reasons discussed above, the combination of Malcolm and Peterson fails to teach or suggest every element of any of claims 34-36 as well.

## **3. Claims 20-24 and 30-33**

Claims 20-24 and 30-33 each ultimately depend from claim 18. As noted above, the cited combination of Malcolm and Peterson fails to teach or suggest each element of claim 18. Necessarily, then, the Malcolm/Peterson combination also fails to teach or suggest each element of any of claims 20-24 and 30-33.

B. There is no teaching, suggestion or motivation to combine Malcolm with Peterson.

Further, the final office action fails to demonstrate that the prior art provides any teaching, suggestion or motivation to combine Peterson with Malcolm in the contemplated manner. Specifically, the suggestion identified by the final office action is inapposite, and the cited references avail themselves of no other teaching, suggestion or motivation.

The final office action states that it would have been obvious to combine Peterson with Malcolm “for a purpose of leveraging previously translated documents to improve efficiency and quality of translations.” (Final Office Action, at 5.) While the systems of Peterson might be useful in providing enhanced translations of documents, leveraging previously translated documents to translate text in an application (as taught by Malcolm) would be counterproductive, since Malcolm is not concerned with translating documents, but instead small portions of text within an application, and previously translated documents would provide a little help in translating text within an application. In fact, as Malcolm (c.1, l. 62 – c. 2, l. 5) teaches, a concern of application translation is providing a consistent user interface, which is hindered by literal translation of the text. Leveraging previously translated documents to translate such text would not solve this issue, and in fact would likely exacerbate it.

C. One skilled in the art would have no reasonable expectation of success in attempting to combine Malcolm with Peterson.

Moreover, there would be no reasonable expectation of success in combining Malcolm with Peterson to teach the elements of claim 18. Clearly, to display “a format in which said at least a first component in said first natural language is displayed by a version of said software utilizing said first component in said first natural language” and “a format in which said at least a first component is displayed in a version of said software utilizing said translation of said first component into said second natural language,” the Malcolm/Peterson combination would have to provide at least a portion of the source code or object code of the software component to the translator, to create the respective display formats.

Neither Malcolm nor Peterson, however, provides any disclosure whatsoever of how this might be accomplished. Peterson, as noted above, does not even consider the translation of program components, so its lack of disclosure in this regard is understandable. With respect to Malcolm, as argued in the applicants' response filed August 29, 2006, Malcolm expressly teaches away from providing anything but a language dependent file to a translator. Indeed, Malcolm teaches the dangers of providing any language-independent portions of an application to the translator: "Other types of errors resulting from this type of system [the translator having access to the complete source code] resulted as the file containing the program logic flow was being edited by a person untrained in programming." Malcolm, c. 2, ll. 11-17. Given this teaching, the final office action cannot reasonably argue that Malcolm provides any suggestion to supply the translator with anything but the bare language-dependent portions for translation. These language-dependent portions, however, would be insufficient to allow for the display of program components as their displayed in versions of software utilizing the components in multiple natural languages. Accordingly, there is no reasonable expectation of success in combining Malcolm with Peterson to teach or suggest the elements of any of the rejected claims.

For at least the above reasons, Malcolm and Peterson, whether taken individually or in combination, fail to create a prima facie case that any of claims 18, 20-22, 24 and 30-33 are unpatentable under § 103(a), and reconsideration of the rejection of those claims is respectfully requested.

IV. Claim Rejections under 35 U.S.C. §103, Malcolm in view of Peterson and further Lakritz

The Final Office Action rejected claim 23 under § 103(a) as being unpatentable over Malcolm, in view of Peterson as applied to claim 18 above, and further in view of Lakritz. As noted above, the combination of Malcolm and Peterson fails to establish a prima facie case that claim 18 is unpatentable under § 103(a). Necessarily, that combination also fails to render claim 23 obvious. Lakritz, for its part, does nothing to remedy the deficiencies of the

Malcolm/Peterson combination, so claim 18 is believed to be allowable over the combination of Malcolm, Peterson and Lakritz as well. Claim 23, therefore, is allowable at least by virtue of its dependence from claim 18.

V. New claims 37-40

New claims 37-39 have been added. Claim 38 is an independent claim, while claim 37 depends from claim 18, and claims 39 and 40 depend from claim 38. All of these claims are believed to be allowable over any combination of Malcolm, Peterson and/or Lakritz, for at least the reasons set forth below.

1. **Claim 37**

Claim 38, as noted above, depends from claim 18, and therefore is believed to be allowable at least by virtue of its dependence from an allowable base claim. Furthermore, claim 38 further defines the “first format” and the “second format” recited by claim 18.

Specifically, claim 37 recites, “displaying, for the translator, a first display screen of a first version of said software in said first natural language, said first display screen displaying said first software component in said first natural language, as said first component will appear in said first version of said software” and “displaying, for the translator, a second display screen from a second finalized version of the computer program translated into said second language, said second display screen displaying said translation of said first software component in said second natural language, as said translation of said first component will appear in said second version of said software.”

Neither Malcolm nor Peterson provides any teaching or suggestion of these elements of claim 37. Even assuming that Peterson “discloses providing simultaneous displays to a translator of a document in first and second natural languages, and in first and second formats,” (Office Action, at 5) (which, as noted above, Peterson does not), Peterson still would fail to disclose displaying any display screens that display a software component in a natural language, as that component would appear in a version of the software.

Instead, as noted above, Peterson merely discloses displaying different versions of translated text from documents. There is a decidedly non-trivial difference between merely displaying the text of a document (as Peterson does) and displaying a display screen of a software program that displays a software component in a natural language. Moreover, in order to create such a display, the translation program of Peterson would need to receive from Malcolm much more than merely the language-dependent text of the program, and, again as noted above, Malcolm expressly teaches away from providing anything other than the language-dependent material.

Accordingly, claim 37 is believed to be allowable over the combination of Malcolm and Peterson for at least these additional reasons.

## **2. Claim 38**

Claim 38 recites:

A method of developing multiple natural language versions of software, the method comprising:

- providing a first iteration of a computer program, wherein the computer program comprises source text in a first natural language;

- providing an interface for a translator to provide a translation of at least some of the source text into a second natural language;

- displaying, for the translator, a first display screen of a first version of the computer program in the first natural language, the first display screen displaying the source text in the first natural language, as it will appear in a first version of the computer program; and

- displaying, for the translator, a second display screen of a second version of the computer program in the second natural language, the second display screen displaying the translation of the source text in the second natural language, as it will appear in the second version of the computer program.

As noted above, the combination of Malcolm and Peterson (and, for that matter, Lakritz) fails to teach or suggest displaying, for a translator, any display screens of any version of a computer program. A fortiori, the cited combination fails to teach or suggest either a "first display screen displaying the source text in the first natural language, as it will appear in a first

version of the computer program” or a “second display screen displaying the translation of the source text in the second natural language, as it will appear in the second version of the computer program.” For at least these reasons, as well as the reasons described in sections III.B and III.C above, claim 38 is believed to be allowable over any combination of Malcolm, Peterson and/or Lakritz.

**3. Claims 39 and 40**

New claims 39 and 40 each depend from claim 38, and claims 39 and 40 are believed to be allowable at least by virtue of their dependence from claim 38.

**VI. CONCLUSION**

In view of the foregoing, the applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,

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